

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Authorization for El Paso Energy Corporation (EPEC) Oil Liquidating Trust (EOLT) to act as the responsible party for cleanup on county-owned land parcel # 15-21-29-300-016C-0000.

DEPARTMENT: Administrative Services **DIVISION:** Support Services/Land Mgmt

AUTHORIZED BY: Speed Thomas, Acting Director **CONTACT:** Meloney Lung, Manager **EXT.** 5256

Agenda Date 3/14/06 **Regular** ☐ **Consent** ☒ **Work Session** ☐ **Briefing** ☐
Public Hearing – 1:30 ☐ **Public Hearing – 7:00** ☐


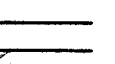


MOTION/RECOMMENDATION: Approve and authorize chairman to sign documents related to the authorization of EPEC to allow for cleanup activities for parcel #15-21-29-300-016C-0000 (SR436 & Montgomery Rd).

BACKGROUND:

In 1995, the County purchased parcel #15-21-29-3000-016C-0000 to be used for the Montgomery Road widening project. The site was a former Tenneco gas station and required cleanup. BBL was the former consultant for EPEC that had been conducting the cleanup process during the last several years. EPEC is consolidating their consulting services to one consultant and requires authorization in order to continue the cleanup process. This site is eligible for The Early Detection Incentive Program, which allows for 100% state funding for the cleanup.

Attached are the documents that require signature.

District # 3, Commissioner Van Der Weide

Reviewed by:	
Co Atty:	
DFS:	
Other:	
DCM:	
CM:	
File No. <u>CASSS01</u>	



February 3, 2006

Ms. Meloney Lung, Manager
Seminole County Support Services
200 West County Home Road
Sanford, FL 32773

Reference: Authorization for Contractor Designation
Florida Pre-Approval Cleanup Program
Former Tenneco 135-08
501 West Highway 436, Altamonte Springs, Florida 32714
FDEP Facility No.: 598516768

Dear Ms. Lung:

El Paso Energy Corporation (EPEC) Oil Liquidating Trust (EOLT), acting as the "responsible party for cleanup" of petroleum contamination at the above property, owned by Seminole County, is seeking your signature acknowledging EOLT's responsibility so that we may proceed with cleanup under the Florida Department of Environmental Protection (FDEP) Pre-Approval Cleanup Program.

The FDEP has established the Pre-Approval Cleanup Program, which is based on a state priority ranking system. This program allows the property owner or the "responsible party for cleanup" to designate a preferred cleanup contractor. FDEP will then establish a contract with the cleanup contractor, supervise and directly pay the contractor. Funding for the cleanup is derived from the Inland Protection Trust Fund, which receives revenue from a tax levied on petroleum products entering the state of Florida for resale.

Based upon this site's score, the site is currently eligible for state funding and clean-up under FDEP's Pre-Approval program. EOLT has recently designated URS Corporation as the clean-up contractor responsible for its environmental remediation. However, in order for URS to begin work at your site, the FDEP requires that the property owner OR the "Responsible Party" sign and notarize a Contractor Designation Form.

Acting as the responsible party, EOLT will complete the Contractor Designation Form and submit it to the FDEP, but in order for us to do so, we require your signature at the bottom of this letter, which acknowledges your concurrence with EOLT's designation of URS Corporation as the environmental consultant for the remediation at your site.

Please return a copy of this letter with your original signature in the attached Federal Express envelope – prepaid for your use. EOLT will forward the paperwork to the FDEP. As the owner of the property you will receive copies of all correspondence and/or reports submitted to the FDEP.

EPEC Oil Liquidating Trust
Attn. Sam Telleen
1001 Louisiana Street
Houston, Texas 77002
Tel 713.420.5412

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PROPERTY ACCESS APPROVAL FORM

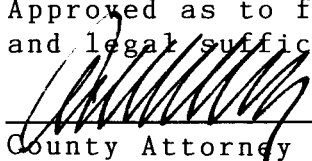
1. The undersigned property owner, Seminole County Board of County Commissioners ("undersigned"), hereby give(s) permission to El Paso Energy Corporation (EPEC) Oil Liquidating Trust (EOLT) or its environmental consultants and subcontractors to enter the undersigned's property ("the property") legally described as Parcel #15-21-29-300-016C-0000, SEC 15 TWP 21S RGE 29E BEG 106 FT N & 93.66 FT W OF SE COR OF NW ¼ RUN W 131.34 FT N 310.50 FT E 147.81 FT SLY ON CURVE 112.22 FT S 04 DEG 05 MIN 52 SEC W 198.84 FT TO BEG., AKA: TENNECO 135-08 or the property located at 501 W. HIGHWAY 436, Altamonte Springs, Florida.
2. This permission is specifically limited to the following activities that may be performed by an environmental consultant and its subcontractors on behalf of EOLT:
 - Soil sampling and testing to include drilling soil borings and the performance of permeability tests.
 - Groundwater sampling including the drilling and the use of groundwater wells and sampling of existing wells, surface water, or springs
 - Installation and use of contamination recovery and remediation wells/attendant equipment
 - Maintaining wells and equipment
3. The granting of this permission by the undersigned is not intended, nor should it be construed, as an admission of liability on the part of the undersigned, or the undersigned's successors and assignees, for any contamination discovered on the property.
4. The environmental consultant and its subcontractors may enter the property during normal business hours and may also make arrangements to enter the property at other times after agreement from the undersigned.
5. In granting this permission, the undersigned shall not be held liable for any injury, damage, or loss on the property suffered or caused by the environmental consultant or its subcontractors.
6. EOLT agrees to restore the property to its original condition immediately upon completion of the aforementioned activities.

Signature of Property Owner

Printed Name of Property Owner

Date

EPEC Oil Liquidating Trust
Attn. Sam Telleen
1001 Louisiana Street
Houston, Texas 77002
Tel 713.420.5412

Approved as to form
and legal sufficiency.
Page 1 of 2


County Attorney



A property access agreement has also been included to allow access to the site for the referenced work. Please return a copy of this letter with your original signature in the attached Federal Express envelope as well.

If you have any questions or comments, please contact me at (713) 420-5412. Thank you in advance for your prompt attention and assistance to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Telleen".

Sam Telleen
Project Manager Representing:
EPEC Oil Liquidating Trust
Phone: (713) 420-5412
Fax: (713) 445-9391
sam.telleen@elpaso.com

Cc: Mr. Mitch Gannon, URS Corporation – 7800 Congress Avenue, Suite 200, Boca Raton, Florida 33487

AUTHORIZE/SIGN BELOW

I, _____, owner of Former Tenneco 135-08,
hereby acknowledge that EPEC Oil Liquidating Trust (EOLT), is the responsible party for
cleanup at the facility located at 501 West Highway 436, Altamonte Springs, Florida
32714, FDEP Facility No.: 598516768 and concur with the Contractor Designation Form
submitted by EOLT.

Signature

Witness Signature

Name/Title

Witness Name

Date

Date

Approved as to form
and legal sufficiency.

A handwritten signature in black ink, appearing to be a stylized name.

County Attorney

Page 2 of 2

EPEC Oil Liquidating Trust
Attn. Sam Telleen
1001 Louisiana Street
Houston, Texas 77002
Tel 713.420.5412



Accepted on behalf of EOLT by the following authorized representative:



Signature of Representative

2/6/06

Date

Sam Telleen

Printed Name of Representative

EPEC Oil Liquidating Trust

Company

PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508																						
GENERAL Parcel Id: 15-21-29-300-016C-0000 Owner: SEMINOLE B C C Mailing Address: 1101 E 1ST ST City,State,ZipCode: SANFORD FL 32771 Property Address: MONTGOMERY RD ALTAMONTE SPRINGS 32701 Facility Name: Tax District: A1-ALTAMONTE Exemptions: 85-COUNTY Dor: 86-COUNTY(EXC:PUBLIC SC)	2006 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 0 Depreciated Bldg Value: \$0 Depreciated EXFT Value: \$0 Land Value (Market): \$130,014 Land Value Ag: \$0 Just/Market Value: \$130,014 Assessed Value (SOH): \$130,014 Exempt Value: \$130,014 Taxable Value: \$0 Tax Estimator																					
SALES <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>CORPORATE DEED</td> <td>08/1997</td> <td>03325</td> <td>1401</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1974</td> <td>01023</td> <td>0888</td> <td>\$9,000</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> Find Sales within this DOR Code	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	CORPORATE DEED	08/1997	03325	1401	\$100	Improved	No	WARRANTY DEED	01/1974	01023	0888	\$9,000	Vacant	No	2005 VALUE SUMMARY 2005 Tax Bill Amount: \$0 2005 Taxable Value: \$0 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS
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LAND <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>SQUARE FEET</td> <td>0</td> <td>0</td> <td>43,338</td> <td>3.00</td> <td>\$130,014</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	SQUARE FEET	0	0	43,338	3.00	\$130,014	LEGAL DESCRIPTION SEC 15 TWP 21S RGE 29E BEG 106 FT N & 93.66 FT W OF SE COR OF NW 1/4 RUN W 131.34 FT N 310.50 FT E 147.81 FT SLY ON CURVE 112.22 FT S 04 DEG 05 MIN 52 SEC W 198.84 FT TO BEG									
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NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.																						